IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.7356 of 2008
SK. SAMEER @ SAMEER AHMAD
Versus
STATE OF BIHAR
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4 13.5.2008 The learned counsel for the petitioner files a supplementary affidavit on behalf of the petitioner. Let it be kept on record.

Heard the learned counsel for the petitioner as also the learned A.P.P. for the State.

From the impugned order dated 9.11.2007 passed by the learned Sessions Judge, West Champaran at Bettiah in A.B.P.No.721 of 2007, it appears that submission advanced on behalf of the Forest Department was that the petitioner was illegally running Saw Mill without any valid license and after sawing the timber from the forest he was illegally transporting the same in violation of the provisions of the Forest Act.

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Apparently apart from the first line of the written report submitted to the Police , there does not appear to be any other material to show that the petitioner was owner of the Saw Mill in question. Therefore, Anticipatory bail Petition is remitted back to the Sessions Court to give specific finding in respect of the petitioner being the owner of the Saw Mill in question. In the event , the petitioner moves the learned Sessions Judge for anticipatory bail within three weeks from today , he will consider the observations made above and pass order in accordance with law.

With the aforesaid observations, this application is disposed of .

(Abhijit Sinha, J)

NKS/-

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